

REMARKS

Claims 1-19 and 22-24 remain pending in this application. These claims stand rejected by the office action. Claims 20 and 21 have been cancelled herein, thereby rendering moot the claim objections and rejections with respect to these claims. Claim 25 has been added in this amendment. Assignee traverses the instant claim rejections.

Examiner's Interview

Assignee's representatives would like to thank examiners Songwei Qian and Mary Steelman for the courtesies extended to assignee's representatives (Bill Nasuti, Connie Dunbar, Timothy Wilson, Gary Kuhn, John Biernacki, and Matthew Johnson) during the telephone interview on November 27, 2007. The interview discussed the advantages of the claimed invention in addition to the cited references, DeLong and Ottensooser, with respect to claims 1, 2, and 10. The remarks and the amendments contained herein further summarize the interview.

Claim Rejections – 35 U.S.C. §§ 102 and 103

In the current office action, claims 1-7, 10-19, and 23-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DeLong (U.S. Patent No. 5,892,947) in view of Ottensooser (U.S. Patent No. 5,905,856). Claims 8, 21, and 22 are rejected under § 103 over DeLong in view of Ottensooser in further view of Hansen (U.S. Patent No. 6,449,744). Claim 9 is rejected under § 103 over DeLong in view of Ottensooser in further view of Walker (Mark H. Walker and Nanette Eaton, Microsoft Office Visio 2003 Inside Out, Microsoft Press, October 29, 2003). Claim 22 is rejected under 35 U.S.C. § 102(b) as being anticipated by DeLong. Assignee respectfully traverses the rejections.

Claim 1 is directed to a system for evaluating tests of a computer program. Claim 1 is amended herein to clarify the separation between the tests results analysis environment and the test automation environment by requiring that a user of the test results analysis environment is not required to personally enter into the test automation environment. This results in many advantages such as keeping the test designer and the test results analyst insulated from the test coding automation implementation details, thereby allowing non-programmers to develop and analyze sophisticated, robust automated test cases without programming knowledge as well as use automation independent tools to access the full power of automation code without knowledge of its implementation details. Such an approach also insulates the test automator from application specific details, thereby allowing the test automator to focus on successfully automating the application under test without requiring any application specific knowledge.

Furthermore, claim 1 has been amended herein to clarify the *serial operational nature* of the claimed system as well as the separation among the three test environments. Specifically, claim 1 has been amended to recite a test design environment that generates testing criteria. The generated testing criteria is then used in the test automation environment to generate testing code. Accordingly, use of the test automation environment *follows* and is *based upon* the operations that had occurred in the test design environment. These serial operational characteristics are expressly recited in claim 1 and are supported in assignee's specification, such as in FIG. 1 which is shown below.

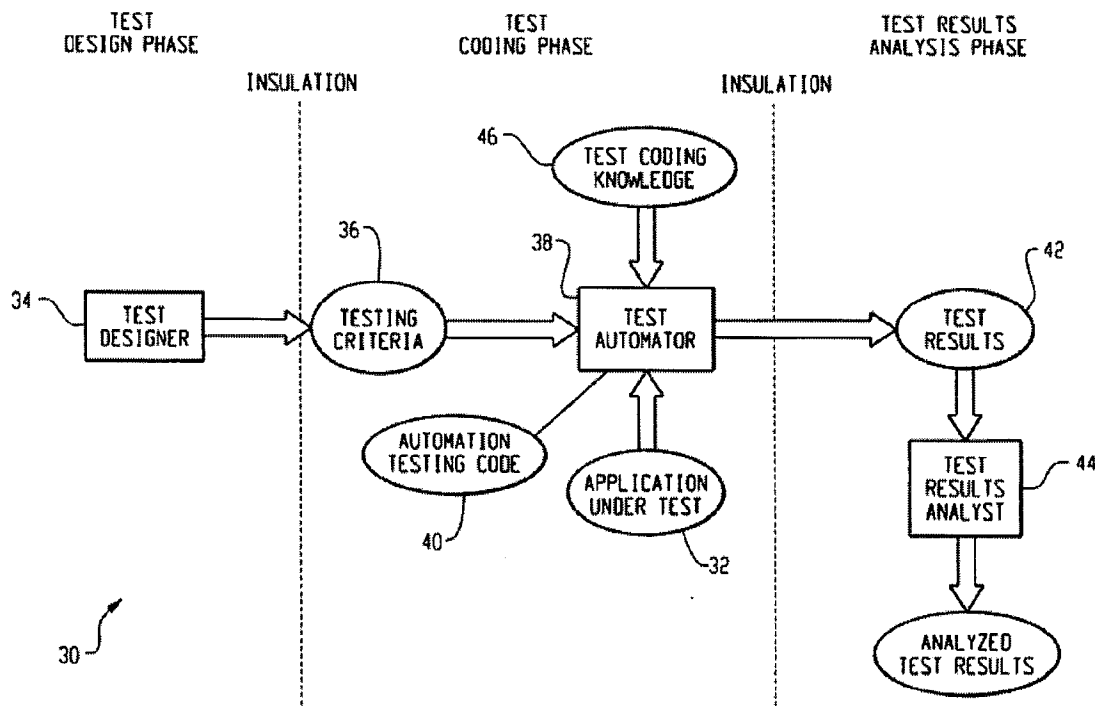


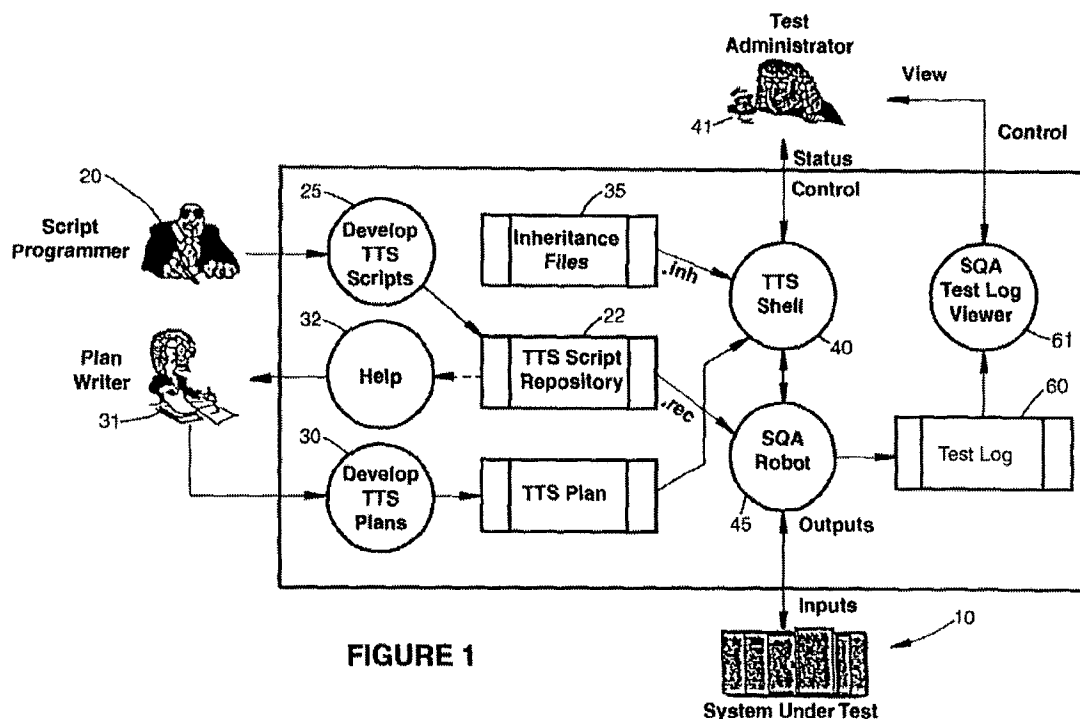
Fig. 1

Claim 1 was rejected based upon DeLong and Ottensooser. More specifically, the office action cited Ottensooser as disclosing the feature of claim 1 that is directed to the test results analysis environment being separate and insulated from the test automation environment. Assignee respectfully disagrees. The approach disclosed in Ottensooser does not separate and insulate a test results analyst from the test automation operations. In fact, Ottensooser inflicts a level of complexity upon the test analyst in that they are required to have direct knowledge of and must personally enter into the actual tool set used for the automated execution of the tests, thereby providing no insulation from test automation details.

Additionally, assignee has amended claim 1 to further define over Ottensooser by emphasizing the serial operational nature of the approach recited in claim 1 (i.e., the test design environment operations are a precursor to the test automation environment

operation, which are themselves a precursor to the test results analysis operations). As mentioned above, claim 1 recites a computer-implemented test design environment that generates testing criteria. It also requires that the generation of testing code be based upon the requirements of the testing criteria and consequently be subsequent to the generation of the testing criteria.

In contrast, the test design and test automation operations of the Ottensooser approach are parallel in nature. In Ottensooser, the Script Programmer 20 develops test scripts 25 without any knowledge of the test plan 30 to be designed and vice versa as illustrated in FIG. 1 of Ottensooser and reproduced below for convenience.



Following the writing of the test scripts by the Script Programmer and the test plans by the Plan Writer independently and in parallel, the test plan and scripts are combined to create the testing code and then run by the Test Administrator 41 through interaction with TTS Shell 40. (See Ottensooser, col. 5, lines 26-37.) Following creation and running of

the code by the Test Administrator, the Ottensooser approach continues when at “the end of the run, or later, the administrator views the test log using SQA Test Log Viewer – another component of the commercial program SQA Suite – to determine if the transaction took place as expected, i.e., to determine the performance of the software system.” In this way, the Test Administrator is also performing the test results analysis as well as running the test code. This approach of Ottensooser as described above not only evidences the parallel operational nature of Ottensooser but also shows how intertwined the Test Administrator’s role is with respect to the other roles. Accordingly, it is respectfully submitted that the Ottensooser configuration whether viewed alone or in combination with DeLong fails to teach or suggest the features of claim 1, and thus claim 1 is allowable and should proceed to issuance.

Similar to claim 1, the subject matter of the other independent claims (i.e., claims 22 and 24) emphasizes the separate and insulated nature of the test results analysis environment from the test results automation environment as well as the serial operational nature of the different environments. As discussed above, it is respectfully submitted that the cited references fail to teach or suggest such claimed features. Therefore, it is respectfully requested that the rejection of these independent claims be withdrawn and these claims proceed to issuance.

Assignee also respectfully submits that other claims as contained herein provide additional features which are patentable over the cited art. For example, claim 25 which has been added herein recites: the test design environment, the test automation environment, and the test results analysis environment operate on a network such that each of the environments are accessible through different computer terminals; the test

design environment operates on a first computer which does not contain the test automation environment or the test results analysis environment; the test automation environment operates on a second computer which does not contain the test design environment or the test results analysis environment; and the test results analysis environment operates on a third computer which does not contain the test design environment or the test automation environment. (It is noted that claim 25 is supported by assignee's specification, such as by the description with respect to FIGS. 19 and 20 of assignee's specification.) Such individual and separate operating environments as recited within the networked computer context of claim 25 are not disclosed in the cited art. Accordingly, claim 25 is allowable for this additional reason and should proceed to issuance.


With respect to the other dependent claims, assignee at this time has not provided arguments in support of their patentability. However, it is respectfully submitted that because the independent claims are now in condition for allowance, the dependent claims which depend directly or indirectly therefrom are also in condition for allowance. However, assignee reserves the right to argue the patentability of certain of the dependent claims in the instant application at a future time, should that become necessary.

[Continued on next page]

CONCLUSION

For the foregoing reasons, assignee respectfully submits that the pending claims are allowable. Therefore, the examiner is respectfully requested to pass this case to issue.

Respectfully submitted,

By: 

John V. Biernacki
Reg. No. 40,511
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
(216) 586-3939